IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 12334 of 1995

Between:

1.S.Govardhana Rao S/o. late S. Raghavayya, aged 57 years,

Deputy General Manager, O/o. Director of Technical, Hyderabad Metropolitan Water Supply & Sewerage Board, Khairatabad, Hyderabad-500004.
2.C.V.Rama Babu S/o. C.Kesavulu, aged 42 years, Deputy General Manager, Osmansagar Sub-Division, 8 Operations & Maintenance, Osman Sagar, Hyderabad Metro Water Supply & Sewerage Board, Hyderabad.
3.P.Manohar Babu S/o. Late P.Pullaiah, aged 38 years, Deputy General Manager, Sub Division-II, O & M Division, I.H.M.W.S. & S.Board, Misrigunj, Hyderabad.
4.G.Ravinder S/o. G.Narayana, aged 42 years, Deputy General Manager, Sub Division-II, Marredpally, O&M Division No.7, H.M.W.S. & S.Board, Hyderabad.
5.C.M.Goutham Reddy, S/o. Ramachandra Reddy, aged 44 years, Deputy General Manager, Sub Division No. 4, Peddapur, O&M Division No.8, Hyderabad.

..... PETITIONERS

AND

1.Government of Andhra Pradesh, rep., by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Saifabad, Hyderabad-500022.
2.The Hyderabad Metropolitan Water Supply & Sewerage Board, rep., by its Managing Director, Khairatabad, Hyderabad-500004.

3.D.S.Rami Reddy, S/o. D.V.Subba Reddy, aged 39 years, working as

Deputy General Manager (E), W.B.C.D.II, S.R.Nagar, Hyderabad Metro Water

Works & Sewerage Board, Hyderabad.

4.P.S.Suryanarayana, S/o. P.Viswanadham, aged about 36 years, working as

Deputy General Manager (E), WS & S.C.D.I., Amberpet,

Hyderabad Metro Water Works & Sewerage Board, Hyderabad.

(Respondents 3 and 4 are impleaded as per the Court order, dated 30-08-1995, in W.P.M.P.No.22335 of 1995).

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction particularly one in the nature of Writ of Mandamus directing the respondent to follow the length of service alone as criteria from among the persons whose options were accepted as per statement III vide para-4 of the Memo. No.MD/GM/Options/92 dated 05-8-1992, while making promotions to the post of General Manager.

For the Petitioners: MR.M.VIJAYA KUMAR, ADVOACTE

For the Respondent No.1: GP FOR MUNCIPAL ADMINISTRATION & URBAN DEVELOPMENT

For the Respondent No.2: MR. S.KRISHNA RAO, ADVOCATE.

For the Respondents 3 & 4: MR.J.R.MANOHAR RAO, ADVOCATE

The Court made the following:

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.12334OF 1995

ORAL ORDER:

Heard both sides.

2. The petitioners seek a direction to the respondents to follow the length of service alone, as criteria from among the persons whose options were accepted, as per the Statement-III vide Para-4 of the Memo No.MD/GM/Options/92, dated 05-08-1992, while making promotions to the post of General Manager.

3. The issue involved in the present writ petition is squarely covered by the decision of the Supreme Court in ***L.CHANDRA KUMAR vs. UNION OF INDIA***, and hence the writ petition is not maintainable.

4. Hence, the writ petition is dismissed as not maintainable with liberty to the petitioners to approach the Andhra Pradesh Administrative Tribunal at Hyderabad, if so desired. However, there shall be no order as to costs.

D.S.R.VARMA, J

04TH NOVEMBER 2004

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To:

1.The Principal Secretary, Government of Andhra Pradesh, Municipal Administration and Urban Development Department, Secretariat, Saifabad, Hyderabad-500022.
2.The Managing Director, Hyderabad Metropolitan Water Supply & Sewerage Board, Khairatabad, Hyderabad-500004.

3.Two CCs to the Government Pleader for Municipal Administration and Urban Development, High Court Buildings, Hyderabad (OUT).

4.Two C.D. copies.